

**RULES
OF
THE TENNESSEE DEPARTMENT OF AGRICULTURE
DIVISION OF PLANT INDUSTRIES**

**CHAPTER 0080-6-18
VEGETABLE PLANT CERTIFICATION**

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0080-6-18-.01 DEFINITIONS

- (1) "DEPARTMENT" means Tennessee Department of Agriculture.
- (2) "ACT" means the "Tennessee Plant Pest Act", T.C.A. §43-6-101 and 43-6-112.
- (3) "DIRECTOR" means the Director of the Plant Industries Division, Tennessee Department of Agriculture or his duly authorized representative.
- (4) "CONTAINER" means a crate, bundle, flat or grouping of uniform plants.
- (5) "VEGETABLE PLANTS" means all species of tomato, pepper, cabbage, broccoli and cauliflower.

Authority: T.C.A. §43-6-104. **Administrative History:** Original rule filed August 12, 1980; effective October 6, 1980. Repeal filed September 22, 1982. New rule filed November 27, 1985; effective December 27, 1985.

0080-6-18-.02 CERTIFICATION

- (1) No vegetable plants shall be sold, offered for sale, held for sale, or transported into or within the State of Tennessee unless they have been certified as being essentially free of insect pests and plant diseases and true to name by the Director or certified by a legally constituted agency designated for such purpose in other states, territories or countries as meeting certification standards substantially the same as those required for certification in Tennessee.
- (2) The requirements for certification are as follows:
 - (a) Application for certification shall be made to the Director on or before February 1 of each calendar year.
 - (b) Fields, greenhouses, and other sites offered for certification must be well cultivated and be maintained essentially free of weeds and grasses. Planting sites not so maintained will not be certified.
 - (c) Fields, greenhouses and sites used for the production of certified vegetable plants must not have been planted during the previous five (5) years to soybeans not to other crops susceptible to root-knot nematode within the previous three (3) years unless the site has been tested and approved by the Director as being free from such nematodes. Sites may be sampled and assayed each year to confirm the absence of soybean cyst nematode (*Heterodera Glycines*).
 - (d) Fields, greenhouses, and other sites used for the production of certified vegetable plants must not have been planted to these same crops within the previous two (2) years. Successive plantings of certified crops shall be allowed until such sites are rejected by the Director because of disease or nematodes.

(Rule 0080-6-18-.02, continued)

- (e) Seeds used to produce certified vegetable plants are required to comply with all requirements of the Tennessee Seed Law, T.C.A. §43-10-101 et seq. and the regulations promulgated pursuant thereto.
- (f) Vegetable plants that are grown in fields, greenhouses or other sites shall be spaced in such a way that different varieties can be identified and properly labeled.

Authority: T.C.A. §43-6-104. **Administrative History:** Original rule filed August 12, 1980; effective October 6, 1980. Repeal filed September 22, 1982; effective October 22, 1982. New rule filed November 27, 1985; effective December 27, 1985.

0080-6-18-.03 REPEALED

Authority: T.C.A. §43-6-104. **Administrative History:** Original rule filed August 12, 1980; effective October 6, 1980. Repeal filed September 22, 1982; effective October 22, 1982.

0080-6-18-.04 USE OF CERTIFICATES

All vegetable plants shipped, sold, delivered or transported for sale or delivery in this State shall have affixed to each container a tag which shall bear a copy of the valid certificate covering such plants. The certificate and all tags shall expire on December 31 of each year unless they have been suspended or revoked prior to that date. Use of tags beyond their expiration date or on shipments or sales of plants not covered by the certificate shall be a violation of these regulations.

Authority: T.C.A. §43-6-104. **Administrative History:** Original rule filed August 12, 1980; effective October 6, 1980. Repeal filed September 22, 1982; effective October 22, 1982. New rule filed November 27, 1985; effective December 27, 1985.

0080-6-18-.05 REVOCATION OF CERTIFICATION

- (1) All certificates issued pursuant to this chapter may be suspended or revoked if:
 - (a) Vegetable plants covered by the certificate are determined to be in a condition that is in violation of the requirements for certification in rule 0080-6-18-.02 (2) or the Act.
 - (b) Certificates are misused, transferred, sold, applied to plants not covered by the certificate, or otherwise handled or used in violation of this Chapter.
- (2) Upon the revocation or suspension of any certificates, all such certificates together with any certification tags printed or issued thereunder shall be immediately surrendered to the Department on demand of the Director.

Authority: T.C.A. §43-6-104. **Administrative History:** Original rule filed November 27, 1985; effective December 27, 1985.